

REISSUE DECLARATION BY THE INVENTORS

As the below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and joint inventors of the subject matter that is described and claimed in U.S. Patent No. 6,288,935, granted on September 11, 2001, and for which a reissue patent is sought on the invention entitled Nonvolatile Semiconductor Memory Device For Storing Multivalued Data, the specification of which

- is attached hereto.
- was filed on _____ as Application Serial Number _____ and was amended on _____ (if applicable).
- was filed under the Patent Cooperation Treaty (PCT) and accorded International Application No. _____, filed _____, and amended on _____ (if any).

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We hereby acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Prior Foreign Application(s)

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Country | Application No. | Date of Filing (day month year) | Date of Issue (day month year) | Priority Claimed Under 35 U.S.C. §119 |
|---------|-----------------|------------------------------------|-----------------------------------|---|
| Japan | 11-266085 | 20-9-1999 | | Yes |

Prior United States Provisional Application(s)

We hereby claim priority benefits under Title 35, United States Code, §119(e)(1) of any U.S. provisional application listed below:

| U.S. Provisional Application No. | Date of Filing (day month year) | Priority Claimed Under 35 U.S.C. §119(e)(1) |
|----------------------------------|------------------------------------|--|
| | | |

Prior United States Application(s)

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application Serial No. | Date of Filing (Day, Month, Year) | Status — Patented, Pending, Abandoned |
|------------------------|--------------------------------------|--|
| | | |

Banner & Witcoff Ref. No. 000449.00021
Client Ref. No. G030731

We have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

We verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below.

by reason of a defective specification or drawing.

by reason of the patentee claiming more or less than he had the right to claim in the patent.

by reason of other errors.

At least one error upon which reissue is based is described below

1. Claims 1-16 remain pending.
2. Claims 17-48 are added.
3. This reissue is a **broadening reissue**. Accordingly, at least one error is cited below:

It was an error to claim some of the features recited in claim 17 as narrowly as in claim 15. Thus, some or all of the features of claim 17 are of a broader scope than those recited in claim 15. For example, it was an error to limit claim 15 to include the data storage circuit as controlled by the control circuit. To correct this error, new claim 17 has been added to recite in broader terms the elements of claim 15 (the memory element connected to a bit line and a word line and a control circuit that controls the potentials on the bit and word lines). Thus, claim 17 does not limit the combination to the data storage circuit as controlled by the control circuit.

Banner & Witcoff Ref. No. 000449.00021
Client Ref. No. G030731

Power of Attorney

And we hereby appoint, both jointly and severally, as our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the practitioners at:

Customer Number: 22907

Please address all correspondence and telephone communications to the address and telephone number for this Customer Number.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature _____ Date _____
Full Name of First Inventor Shibata Noboru
Family Name First Given Name Second Given Name
Residence Yokohama-shi, Japan Citizenship Japan
Post Office Address Intellectual Property Division, Kabushiki Kaisha Toshiba, 1-1 Shibaura 1-chome, Minato-ku, Tokyo 105-8001 Japan

Signature _____ Date _____
Full Name of Second Inventor Tanaka Tomoharu
Family Name First Given Name Second Given Name
Residence Yokohama-shi, Japan Citizenship Japan
Post Office Address Intellectual Property Division, Kabushiki Kaisha Toshiba, 1-1 Shibaura 1-chome, Minato-ku, Tokyo 105-8001 Japan

MAIL STOP REISSUE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Noboru Shibata and Tomoharu Tanaka

Serial No.: TBA
(Reissue of 6,288,935, issued Sept. 11,
2001)
Filed: Herewith
For: Nonvolatile Semiconductor Memory
Device For Storing Multivalued Data

Atty. Docket No.: 000449.00021

Group Art Unit: TBA

Examiner: TBA

Confirmation No.: TBA

Statement Under 37 C.F.R. 1.173(c)

Mail Stop **REISSUE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants make the following two statements:

Status of Claims

The status of the claims after entry of this amendment is as follows:

Original claims 1-16 pending.

New claims 17-48 are newly added.

No new matter has been entered.

Support for Claims

Support for new claims 17-48 is at least generally found on column 5, line 66, through column 7, line 14, of the '935 patent.

If the Examiner has any questions, he is invited to contact the undersigned.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: September 10, 2003

By:


Christopher R. Glembocki
Registration No. 38,800

1001 G Street, N.W.
Washington, D.C. 20001-4597
Tel: (202) 824-3000
Fax: (202) 824-3001

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Kabushiki Kaishia ToshibaApplication No./Patent No.: 6,288,935 Filed/Issue Date: September 11, 2001Entitled: Nonvolatile Semiconductor Memory Device For Storing Multivalued DataKabushiki Kaishia Toshiba, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 011139, Frame 0018, or for which a copy thereof is attached.

OR

- B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached. Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Date_____
Signature_____
Typed or printed name_____
Title

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REISSUE APPLICATION: CONSENT OF ASSIGNEE;
STATEMENT OF NON-ASSIGNMENT**Docket Number (Optional)
000449.00021

This is part of the application for a reissue patent based on the original patent identified below.

Name of Patentee(s)
Noboru Shibata and Tomoharu TanakaPatent Number
6,288,935Date Patent Issued
September 11, 2001Title of Invention
Nonvolatile Semiconductor Memory Device For Storing Multivalued Data

1. Filed herein is a certificate under 37 CFR 3.73(b). (Form PTO/SB/96)
2. Ownership of the patent is in the inventor(s), and no assignment of the patent has been made.

One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".

The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.

The assignee owning an undivided interest in said original patent is/are 100% and the assignee(s) consents to the accompanying application for reissue.

Name of assignee/inventor (if not assigned)

Kabushiki Kaisha Toshiba

Signature

Date

Typed or printed name and title of person signing for assignee (if assigned)

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.